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1949.

File No. O khoti/49

Legal Department—

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Subject:—

Opinions under the

Khoti Settlement Act 1880

File No. O khoti/49

63-A

C O N T E N T S.

Legal Department File No. 0. Khoti/49.

Sr. No.	R.I. / O. No.	Subject	Pages.
		Opinions under the Koti Settlement Act, 1880.	
1.	569 17-1-1949	Recovery of pothisan Charges from the annual Kabulayatdar Khots of Kolaba.	1-2.

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Recovery of pot-hissa charges from the annual Kabulayatdar Khots of Kolaba.

In his opinion dated the 7th August 1942 the Advocate General pointed out that "the Khot has a limited interest and proprietory rights and his rights fall short of the full rights of an occupant under the Bombay Land Revenue Code and if Government recover pt-hissa charges from him he might contend in the pending suit that the Governament have recognised him as having the rights of occupancy". Although the appeal No. 1038 of 1945 has been decided by the High Court and a decree is passed in terms of the compromise settling the form of the annual Kabulayat, the difficulty pointed out by the Advocate General still remains and the Khot might still claim to be an occupant i.e. higher rights than what he actually possesses. The choice is therfore between foregoing these charges and recovering them with the risk of allowing the Khot to claim occupancy rights. This question may however await the legislation proposed by Government to abolish the Khoti tenure.

Sd/- P.M. LAD,

Remembrancer of Legal Affairs.

U. R. to R.D., No. 509, dated the 17th January 1949.

Submitted for signature.

Id/- 15/1

A.J.R. R.K. - 15/1

R.L.A.